

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LOGICALIS, INC.,

Plaintiff,

Case No. 21-cv-12894

Hon. Matthew F. Leitman

v.

CENTERGRID, LLC, *et al.*,

Defendants.

/

**ORDER GRANTING PLAINTIFF LEAVE
TO FILE A FIRST AMENDED COMPLAINT**

On December 10, 2021, Plaintiff Logicalis, Inc. filed this action against several Defendants. (*See* Compl., ECF No. 1.) Logicalis alleges, among other things, that the Defendants misappropriated its trade secrets and breached certain contracts. (*See id.*)

On February 7, 2022, Defendants filed a partial motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6). (*See* Mot. to Dismiss, ECF No. 20.) One of Defendants' primary bases for dismissal is that Logicalis has failed to plead sufficient facts to state viable claims under the Supreme Court's decisions in *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007) and *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). (*See id.*, PageID.124, 139-140, 143-144.)

Without expressing any view regarding the merits of the motion to dismiss, the Court will grant Logicalis the opportunity to file a First Amended Complaint in order to remedy the alleged deficiencies in its claims identified by the Defendants in the motion to dismiss. The Court does not anticipate allowing Logicalis another opportunity to amend to add factual allegations that it could now include in its First Amended Complaint. Simply put, this is Logicalis' opportunity to allege any and all additional facts, currently known to it, that may cure the alleged deficiencies in its claims.

By **February 15, 2022**, Logicalis shall file a notice on the docket in this action notifying the Court and the Defendants whether it will amend the Complaint. If Logicalis provides notice that it will be filing a First Amended Complaint, it shall file that amended pleading by no later than **March 1, 2022**. If Logicalis files a First Amended Complaint, the Court will terminate without prejudice Defendants' currently-pending motion to dismiss as moot. If Logicalis provides notice that it will not be filing a First Amended Complaint, it shall file a response to the currently-pending motion to dismiss by no later than **March 1, 2022**.

IT IS SO ORDERED.

Dated: February 8, 2022

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 8, 2022, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
(313) 234-5126